

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

LARICO WILLIAMS, #195728

VS.

JOLENE SCOTT

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CIVIL ACTION NO. 4:23cv490

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge in this action (the “Report”) (Dkt. #36), this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 26, 2025, the Magistrate Judge entered the Report (Dkt. #23), containing proposed findings of fact and recommendations that Defendant Officer Jolene Scott’s Motion to Dismiss (Dkt. #30) be granted in part and denied in part. In particular, the Report recommends the motion: (a) be granted in that Plaintiff’s RLUIPA claim seeking damages against Defendant in her individual capacity and Plaintiff’s Fourteenth Amendment due-process and disparate treatment claims against Defendant in her individual and official capacities be dismissed with prejudice; and (b) be denied in that Plaintiff’s RLUIPA claim against Defendant in her official capacity for declaratory and prospective injunctive relief and Plaintiff’s First Amendment free-exercise claim against Defendant in her official capacity for declaratory and prospective injunctive relief, as well as against Defendant in her individual capacity for damages, be allowed to proceed. No objections having been timely filed, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant Officer Jolene Scott’s Motion to Dismiss (Dkt. #30) is **GRANTED in part and DENIED in part**. Plaintiff’s RLUIPA claim seeking damages

against Defendant in her individual capacity and Plaintiff's Fourteenth Amendment due-process and disparate treatment claims against Defendant in her individual and official capacities are **DISMISSED** with prejudice. Plaintiff may proceed at this juncture with his RLUIPA claim against Defendant in her official capacity for declaratory and prospective injunctive relief and Plaintiff's First Amendment free-exercise claim against Defendant in her official capacity for declaratory and prospective injunctive relief, as well as against Defendant in her individual capacity for damages.

IT IS SO ORDERED.

SIGNED this 28th day of March, 2025.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE